

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Confirmation No. 9217

PELLERIN et al.

Atty. Ref.: 4662-194

Appln. No. 10/582,987

T.C. / Art Unit: 1632

Filed: June 15, 2006

Examiner: M.G. Leavitt

FOR: YEAST STRAINS WITH IMPROVED FRUCTOSE FERMENTATION CAPACITY

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**RESPONSE TO RESTRICTION REQUIREMENT**

February 24, 2009

**Mail Stop Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed January 22, 2009, entry and consideration of the following amendments and remarks are respectfully requested.

Applicants elect with traverse Group IV (i.e., claims 5-7, 10 and 14-19) and the species *Saccharomyces cerevisiae* for examination on the merits. Elected claims 5-7, 10 and 14-19 read on the elected species. Applicants reserve the right to prosecute non-elected subject matter in a further patent application.

An amended portion of the **specification** is presented on page 2.

The **claims** are presented on pages 3-5.

Claims 5 and 11 are amended.

Claims 14-19 are added.

**Remarks** begin on page 6.